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Ward 6 Newsletter

Tucson First

November 16, 2015

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UA Response to University of Missouri Issues

You've likely been reading about the racially motivated events the University of Missouri has been dealing with lately. To their credit, UA administrators have communicated our own local response to the campus community. Here's the full text of what was sent out last week.

To: UA Campus Community
From: Ann Weaver Hart, President
 Lynn Nadel, Chair of the Faculty
 Sarah Netherton, President, GPSC
 Manuel Felix, President, ASUA
Date: Friday, November 13, 2015
RE: Commitment to respect and equity

Recent events at the University of Missouri and at other colleges and universities across the United States remind us that we can never take our freedoms or each other for granted. They also remind us that we should not assume we know what others' experiences are or have been and that we need to listen with an open mind when assessing the climate of respect and equity on our own campus.

At the University of Arizona, we value each and every individual, whether student,



Important Phone Numbers

**Tucson Police
Department**
911 or nonemergency
791-4444

Water Issues
791-3242/800-598-9449
Emergency: 791-4133

Street Maintenance
791-3154

Graffiti Removal
792-2489

**Abandoned
Shopping Carts**
791-3171

**Neighborhood
Resources**
837-5013

SunTran/SunLink
792-9222
TDD: 628-1565

**Environmental
Services**
791-3171

Park Wise
791-5071

**Planning and
Development
Services** 791-5550

**Pima Animal Care
Center**
724-5900

**Pima County Vector
Control**
Cockroach: 443-6501
Mosquito: 243-7999

Continued: A Message From Steve

faculty, staff, alumnus/a or visitor. We will not tolerate any form of discrimination against any member of our community. Furthermore, we are deeply committed to the freedoms from discrimination on which we rely. This commitment is a fundamental part of our culture of engagement, partnership and mutual support that transcends traditional definitions, categories, and boundaries. It is not a license to censorship nor a denial of academic and other freedoms, but it is an insistence upon respect for the wide range of perspectives and experiences reflected in our multi-cultural environment.

We realize this commitment does not free us from constantly working to improve. The quality of our understanding of, and response to, the needs of our community and those whom we serve depends upon our ongoing ability to learn and change in order to maintain our culture and the qualities to which we are all committed.

We, as representatives of the university, faculty and undergraduate, graduate and professional students, affirm our commitment to these freedoms and our commitment to constant improvement. In the spirit of that commitment, we pledge to use these recent painful events at other institutions as an impetus for ongoing change and more dialogue here at home.

It's great to see the UA step up and take ownership of these sorts of potentially divisive issues the way they are doing. It makes me proud to be associated with the place.

Economic Development – Next Steps?

There's no denying the region has been working through an economic downturn. It hit us harder than many other areas. Why? Several factors. Reductions in Federal spending hit DMAFB, and by extension Raytheon. Reductions in support for education hurt the UA. The rise in the dollar hurts exports and tourism. A lack of economic diversity in our regional economy also makes it more difficult to rebound. And when you lose one high paying job from say a relocation of Raytheon employees or a grant-funded professor moving to a university in a state where they value higher education, there's a multiplier effect on that actual loss – two or three jobs that rely on the spending of those lost workers. So, when we've got a chance to improve our economic outlook, we need to grab onto it.



I shared last week that I believe the vote on the Sonoran Corridor was at best unfortunate, and more likely a very bad decision from the perspective of our long-term economic development prospects. Since then, I've requested a study session item to review our options relative to funding and getting a second bite at the question that a small percentage of eligible voters rejected.



Important Phone Numbers

Senator John
McCain (R)
520-670-6334

Senator Jeff
Flake (R)
520-575-8633

Congresswoman
Martha McSally (R)
(2nd District)
(202) 225-2542
Tucson Office: 520-
881-3588

Congressman
Raul Grijalva (D)
(3rd District)
520-622-6788

Governor Doug
Ducey (R)
602-542-4331
Tucson office:
520-628-6580

Mayor Jonathan
Rothschild
520-791-4201

ZoomTucson Map
[http://
maps.tucsonaz.gov/
/zoomTucson/](http://maps.tucsonaz.gov/zoomTucson/)

We can speculate all day on why the bonds failed. Too large a package, lack of trust in government, jurisdictional differences on the question of taxation, and probably a whole lot more. There's likely an element of truth in each, but dissecting the results is rear-view looking. I'm interested in taking the issue of the Sonoran Corridor forward and selling it. We can devise strategies – the best one is simply making the case that without development in that area, we're not going to prosper.

This is not just a City issue. And yet, the City has to look at what our options are with respect to funding in case we have to go it alone. We have to engage our regional partners in the broader discussion of how we can do economic development together. I've tried to capture both in my study session request. Here's the letter I've submitted to agendize the item:

SUBJECT: *County Funding Options*

In the aftermath of the recent bond elections, many are speculating on the reasons for their failure to be approved. Regardless of the 'why's', one thing remains true; many of the items included in that package were important economic generators for not only the City of Tucson, but for the region.

For the December 15th study session, please have staff prepared to present a full discussion of funding options we may consider for reconsideration of some portion of the bond package, or other capital and/or personnel needs. Those may include the purchase of public safety vehicles, ideas for funding pension obligations, or other issues contained in our 'unmet needs' list. Those options need to include our current bonding capacity, and any steps we would need to take in order to increase that capacity, plus processes we will need to consider for broadening our funding options (taxing authority, special taxing districts, Charter implications, etc.)

Of particular importance to the region is the Sonoran Corridor. The economic development potential we lose by failing to move that item forward is immense. Please focus some of your presentation on the possibility of running that item as a 'single shot' proposal, regardless of which funding options we select.

The County is clearly also a player in this. I would welcome your including the current Chair of the Board of Supervisors and the County Administrator in this presentation so all possibilities are on the table. Please make clear to them that if they would like to bring a quorum of their Board, we can make room at our table for any and all.

I believe for us to have a chance to fully explore all options, we should set aside 45 minutes for this item.

###

CC: Supervisor Sharon Bronson, Chair, District 3
County Administrator Chuck Huckelberry

I have said for over four years that the City Council and Board of Supervisors should have regular joint meetings. We have plenty of issues in which our interests and needs overlap. I'm hopeful that we will get a good response to this invitation and that on December 15th

we'll see County representation at this meeting. I'll be reaching out to our counterparts to make that desire known.

The Sonoran Corridor involves rail commerce, air commerce, commerce from south of the international border, preservation of Raytheon as a major economic player in the region, connecting I-10 and I-19 to ease bypass for truckers, connection with the Port of Tucson, and the development of that aerospace and defense area with high-paying manufacturing jobs. The item got mired down among 98 others on the ballot. I'm hopeful we can take this on again, well ahead of any negative vibe that may be felt by either our Congressional delegation relative to fully funding that \$600M project or by Raytheon and TAA in their own capital investment efforts.

With the Sonoran Corridor and funding options study session, there's nothing to strategize over. The fact of the matter is that without the development of the southeast side – around Raytheon, TAA, the Port of Tucson, our connections to rail lines, and the commercially important I-10 and I-19 routes – we're not going to thrive economically.

More Development Partners

For about the last eight months, the Metro Chamber has been reaching out across the community to solicit ideas as to how we might tweak some of our processes in ways that streamline what we do in relation with the development community. While they're finalizing their own internal reports, I'm pleased to be able to say that we're out in front of them on some of what they may be contemplating.

I shared last week about the formation of a committee that'll work with the City Manager's office to come up with ideas for streamlining our permitting and plan review processes. I've named my two representatives: Robin Shambach from BWS Architects and Frank Mascia from CDG Architects. Both have extensive experience in working plans through the City process and will bring valuable insights to the table.

During our study session, I remarked that the County has some standard operating procedures in place that we may want to emulate. Those include honoring prior plan review comments if reviewers change mid-stream, attempting to keep the same reviewer throughout a job, and making sure developers understand the part having good, clear construction documents plays in our ability to give good customer service. Those are consistent with what I hear may be some of the Chamber's direction.

This stuff is about continuing to pull ourselves out of the recession in ways that do not toss neighborhood protections out in the process. Those are not mutually-exclusive ideas. I look forward to the upcoming discussions.

Flexible Lot Design

Another step towards encouraging good development is a text amendment to our land use code that we'll consider on Tuesday. The public hearing we're going to hold is a follow-up to our study session last month on this same issue.

Right now, if you're doing a residential cluster development, you're locked into some strict design criteria when it comes to the placement of garages. The result is a pretty

cookie-cutter design throughout a given neighborhood. When we adopted the Flexible Lot Design (FLD) standards, we anticipated the need for some tweaks. This is that.

Flexibility in design is consistent with some updates we've recently made to our Infill Incentive District zoning options. Without what we'll be considering on Tuesday, if a developer has creative alternative design solutions to suggest that go outside of the requirements listed in the Unified



Development Code (UDC), they're forced to spend time and money going through a Board of Adjustment hearing. Adding the text amendment will allow for in-house, administrative interaction on the options.

Our Planning Department has a Design Professional (architect) on staff. That person will be allowed to consider the alternative compliance requests under this change. He'll of course ensure the proposal isn't causing any safety concerns or creating downstream drainage issues. But reducing 'garage dominant' design can be an aesthetically good thing – and the industry has plenty of best-practices we can gain from.

Plan Tucson speaks to what we're considering:

Plan Tucson Consideration(s) – This item relates to the Plan Tucson Element outlines in Chapter 3 of the Built Environment of LT-28 Guidelines and Protocol for Development Review.

LT- 28.3.15 Support infill and redevelopment projects that reflect sensitivity to site and neighborhood conditions and adhere to relevant site and architectural design guidelines.

Change can be a good thing. I believe this FLD amendment is one example of that.

Impact Fees and Development

There may also be room for a conversation about what we do with impact fees and whether that's another potential source for catalyzing some economic progress. It'd be irresponsible to totally eliminate them, but if we can make some sort of changes to help reinvigorate the home building industry, coupled with the FLD changes we'd be taking some positive steps.

Per our Impact Fee ordinance from last October, we already waive impact fees for non-profit affordable housing projects. If our Housing Director affirms the households earn less than 100% of the area median income, we waive the fees. To be clear though, we're required by law to make the General Fund whole for what we waive. Here's the text from ARS Section 9:

"If a municipality agrees to waive any of the development fees assessed on a development, the municipality shall reimburse the appropriate development fee accounts for the amount that was waived."

Those can become big dollars. For example, here's one we've already waived:

Project	Address	Impact Fee Service Area	# of Units	Fee Waived/paid by General Funds
Downtown Motor Apartments	383 S. Stone Ave	Central	44	\$177,150

And this one still needs permits, but will likely have them in FY'16

Project	Address	Impact Fee Service Area	# of Units	Fees to be Waived/paid by General Funds
Sunnyside Pointe Villas II	Multiple Emma Maria St.	West	92	\$690,460

It should also be noted that when we adopt Pre-Annexation Development Agreements, we sometimes already agree to waive some portion of impact fees. Here's one recent example:

Financial Considerations – The PADA establishes a waiver of up to 50% of applicable City of Tucson Parks Impact Fees per home. This amount shall not exceed \$44,737.

So one side of the coin is the hit the General Fund will take for whatever we agree to waive. The other side of the coin is the increase in construction sales taxes, plus the jobs being created out in the workforce by kick-starting work. The possibility of finding some middle ground at least makes having the conversation worthwhile. Agreeing to a sunset date to allow us to assess the impact on our financial situation would need to be a part of whatever we ended up with.

The Sonoran Corridor, working well with the County, changes we're working on with the Metro Chamber, FLD and impact fees – they're all of a piece; that is, get the economy moving.

More Change? Elections

A different sort of change may also be headed in our direction. As I suspect you've heard by now, last week the 9th Circuit Court of Appeals decided the way we conduct our local elections is illegal. That, despite the fact that we've won in court twice and the voters have embraced the system at least twice. Our Charter-driven election process has been in effect for over 85 years. Now it's illegal?

Here's the language you'll find in our Charter that relates to our election process:

Sec. 9. Mayor nominated and elected at large; councilmen nominated from wards, elected at large.

Beginning in the year 1930, and continuing thereafter, the mayor shall be nominated from and elected by the voters of the city at large, and the councilmen shall be nominated each from, and by the respective voters of, the ward in which he resides, and shall be elected by the voters of the city at large.

To be clear, the decision offered last week was from a three member panel of the 9th Circuit, not the full 11 members. That decision was 2-1, so it was hardly an overwhelming

rebutal of our process. Furthermore, one of the judges included in the two man majority isn't even a sitting member of the 11 member 9th Circuit. He's a District judge who was invited to sit in on the case. I suspect there might be some professional ego involved in the full panel having an issue with a 'visitor' casting the tie-breaker in reversing a lower court ruling. But he did, so we have some decisions to make.

Here are a few quotes from the decision. First, some from the majority side:

The panel held that when two groups of citizens share identical interests in an election, the city may not use a residency requirement to exclude one group while including the other. The panel concluded that excluding out-of-ward voters from the primary election discriminates among residents of the same governmental unit in violation of the Equal Protection Clause of the Fourteenth Amendment.

Because the primary and general elections are two parts of a "unitary" process, Allwright, 321 U.S. at 660–61, a citizen's right to vote in the general election may be meaningless unless he is also permitted to vote in the primary. If a voter's preferred candidate is defeated in a primary from which the voter is excluded, the voter would never have the chance to cast a ballot for his candidate of choice.

Although Arizona as a whole generally votes Republican, Tucson generally votes Democratic. This means that the Democratic nominee from each ward will likely win the general election regardless of whether the ward from which he was nominated is principally Republican or Democratic. Indeed, the city's current mayor and all six council members are Democrats. In most cases, then, the Democratic ward primary is the only election that matters; the general election is a mere formality. Even if electing the Democratic nominee is not automatic, there is no dispute that the Democratic nominee enters the general election with an enormous advantage. Thus the vote in the primary—and particularly the Democratic primary—has a commanding influence on the outcome of the general election.

From the dissent:

"...voting regulations are rarely subjected to strict scrutiny," and we are particularly loathe to strike down as unconstitutional an entire election system. The majority concludes that Tucson's hybrid election system for electing its city council violates the "one person, one vote" principle announced in Gray v. Sanders, 372 U.S. 368, 380 (1963). According to the majority, Tucson's system violates equal protection principles by designating different geographical units for its primary and general elections. The practical effect of the majority's decision today is the total eradication of Tucson's voting system, which has been in place since 1930.

*The Third Circuit recently resolved a similar Fourteenth Amendment challenge to New Jersey's closed primary system. See Balsam v. Sec'y of N.J., No. 14-3882, 2015 WL 1544483, at *3 (3d Cir. Apr. 8, 2015). The court reasoned that voters do not "have a constitutional right to unqualified participation in primary elections," and the burden the closed primary system placed on plaintiff's rights was minor compared to the state's interests.*

Primary and general elections are not on the same constitutional footing. See 26 Am. Jur.

2d Elections § 223 (“A primary election is one that results in nominations rather than final elections to office. Thus, a primary election serves a different function from a general election, in that it is a competition for the party’s nomination, no more, no less, and does not elect a person to office but merely determines the candidate who will run for the office in the general election.”). Primary elections in Tucson are, in short, nothing more than the means political groups use to choose the standard bearers who will face off in the general election.

The panel did not say we have to go to Ward-only elections. They said the way we’re currently running elections is illegal. They left the door open for us to change to either Ward primary/Ward general or to an at-large primary/at-large general. But at-large general elections are what the plaintiffs in this case don’t want. They could lose by winning if we adopted that process.

Disclosure – in 2009, I lost the Ward 6 general election but won City-wide. I ran back then as a Republican. I suppose that means I disprove the rule being claimed by the plaintiffs, and indeed by the two-member majority on the 9th Circuit panel. But that doesn’t solve our current dilemma.

On Tuesday, we’ll have a few decisions to make. First, do we accept the panel’s ruling or appeal? If we appeal, do we go to the full 11 member 9th Circuit for review, or straight to the U.S. Supreme Court? That’s one issue.

Another issue is whether or not we ask the voters to change our Charter and adopt a new form of election. We’ve already formed a Charter Review Committee to take a look at that question, but it’s up to M&C to decide whether or not to place a question – or more than one question – on the 2016 ballot. If the 9th Circuit were to affirm our present system, why run it through an election? Or if we do, what question(s) do we ask the voters? If the 9th Circuit tosses out our present system, we will be forced to run the issue past you in 2016 (there’s an election for three council seats in 2017). If it gets to the ballot, is it Ward/Ward, or at-large/at-large? What if they both fail?

I don’t see how we can *not* appeal to the full 9th Circuit. If we don’t, we’re unilaterally eliminating the hybrid system we currently use from voter consideration – the one the voters have on multiple occasions said they prefer. Without winning an appeal, we can’t include that as a ballot option.

Interesting stuff. My take on the panel’s decision is that it’s a stretch (at best) to compare a political party to a protected class of people. And, as the dissenting judge said,

There are certain times when a federal court may tell a municipality how to run its local elections. This is not one of them.

...and this,

The Constitution does not require this sort of judicial highjacking of state power. Accordingly, I conclude that Tucson’s hybrid election system is constitutional.

...and this,

In short, the Constitution permits Tucson to set different geographical units for its primary and general elections.

It's inside baseball stuff – interesting, but at the end of the day the solution is to run good candidates and get out your voters. When there's a 28% total voter turnout, your party is in the minority to begin with, and you lose, it's tough to blame the system. First, get your own party members to the polls.

I expect an appeal and I expect us to win, again. Then the burden shifts back to the plaintiffs to decide whether or not to continue this waste of taxpayer money.

Tucson Greyhound Park



It's no surprise the track conditions out at Tucson Greyhound Park (TGP) are always at the bottom end of marginally acceptable. It's also no surprise that dogs are always being injured out there. And it's no surprise that people don't support the place, either locally or nationally. Their betting handle used to be about twice what it has been lately. As a result, they're paying the racers less and less. But the Florida owners are doing just fine on the backs of the Arizona State legislature

approved 'hardship tax credit.'

Hard words? Perhaps, but all of them defensible.

For some time now, the betting board out at the track has been working intermittently. It's called a 'TOTE Board,' and it's the basis on which betters all over the country place bets on the dogs. It's an automatic totaling device that adds up the bets in a pari-mutuel betting system. The whole of the pot (the stakes on all competitors) is divided on a proportionate basis to the stakes placed on the winning competitor and those tickets are paid out. If betters can't rely on its accuracy, they don't bet. The Arizona Department of Gaming should have been investigating, but as I've noted before, they rely on the track for their own budget, so that fox is guarding its henhouse pretty closely.

To make up for the poor betting handle and the abysmal attendance at the track, they've lowered the amount paid to the dog owners. The way it's done is that owners are paid what are called 'points.' The higher you place, the more points you earn. The advantage for the track is that they never have to over-pay; that is, if a purse is predetermined, they could lose money if the betting isn't sufficient to cover that amount. With points, they can't lose – and the dog owners can't gauge potential earnings as the point value can be manipulated in the tracks favor.

TGP pays \$13 per point. I've asked people throughout the industry, including some people who work at the track. All confirm that it's the lowest they've ever heard.

Why does that matter? Because if owners aren't making any money from the racing, the

dogs become the collateral damage. Consider these numbers for example:

Say a dog gets eight points for winning. That's first place. They get half that for 2nd place, and down the line. Using eight points, that's $8 \times \$13 = \104 . The winning dog earns that much for a win. Now, subtract 35% for the dog's owner/breeder ($\$104 \times 35\% = \36) and the kennel operator is now down to just \$68 for that win. That's to cover food, kennel supplies, kennel help, electricity, and other infrastructure for the kennel. Pretty soon there's nothing left for taking care of injuries, illnesses, or other things that you do for your home pet. That's for a first place finish.

They're only racing four days per week at TGP. Nobody's making a living out there, and as I mentioned above, the dogs are taking the hit for this 'sport.' By way of comparison, at the higher end tracks, they pay from \$75 to \$100 per point. Still not a gold mine, but certainly better than TGP's payout.

Kennels are shutting down out there and moving to other tracks on the east coast. I know of two that have closed just in the past month. There's a reason, and the financials I've shared are a likely large part.

I've written about injury rates, deaths, track conditions, kennel conditions, and now you see some of the financials behind those stories. You pay to keep this track open. The State legislature has the capacity to shut it down. If/when they do, I'll throw the party.

Good News on Animals

Hermitage No-Kill Cat Shelter



Last week I was pleased to join Jonathan in celebrating the 50-year anniversary of the Hermitage Cat Shelter. Shown in the picture below are the two of us, along with emcee KGUN9 morning anchor Liz Kotalik, the dean of the UA College of Veterinary Science Shane Burgess, and the person who's largely responsible for keeping the Hermitage up and running, Lee Bucyk.

In addition to celebrating their anniversary, the Hermitage folks were there to announce a great partnership they've formed with the UA through which the students will be given hands-on opportunities to work with the at-risk cats being nursed back to health by Lee and her staff.

They're also deeply indebted to Dr. Kayla Boyer and the staff at Speedway Veterinary Hospital in that work.



The work being done at Hermitage is so key to our community that it deserves a special note in the newsletter. When Pima Animal Care Center has sick or injured cats, it only has a few options: put them down, spend the money to take care of them, or find room at the

Hermitage. Lee's facility is always willing to take in the at-risk cat/kitten population, spend precious resources healing them, and then finding a new home for each one. That costs money of course.

With that, I'd invite you to their website, www.hermitagecatshelter.org, to see how you can play a part in their work. That could be financial, volunteering your time, or in-kind donations.

We're a better place because of the way our citizens step up and help important causes. The Hermitage warrants your consideration.

From Animals to Films

It's no surprise to anyone who reads many of these newsletters that I often toss in items in support of the local film industry and the work done by Visit Tucson and Shelli Hall. This time, I'm also including the people at Hanson Film Institute. They're teaming up with Shelli in an upcoming film-related event.



Educational Programs.

Public Events.

Creative Projects.



Vicky Westover is the honcho at Hanson. They're about to present a free forum on how to get your feet wet in the film industry. A panel discussion entitled "Where's the money? How to finance an independent film" will be presented on Friday, December 4th from 4:00pm to 5:30pm at the Center for Creative Photography on the UA campus. These are in-

dustry professionals who know the ropes relative to finding the money you'll need for film financing. If you've thought about taking on such a project, you won't want to miss this presentation.

For more information, you can email Vicky at vwestove@email.arizona.edu, or give her a call at 626.9825.

Property Acquisition 101

Staff is about 60 days into the planning for the 30% construction documents related to the Broadway RTA project. As a part of that process, they've begun to conduct the Property Acquisition informational meetings, as promised. Alison and I attended one last week. There were about a dozen property owners also in attendance.

Getting to 30% docs is estimated to take until early next spring. As a part of that design milestone, staff and our consultants from Tierra Right of Way are meeting with property owners from along the corridor to get them ready for a possible relocation. The people noticed for these informational meetings are those who, based on the tentative alignment M&C adopted, appear to be likely 'full takes.' That is, the alignment runs through their building, so no realistic remedy is likely.

The entire relocation process will take a few years. That's the reason they begin the conversations now. There are title reports, appraisals, contract negotiations related to relocation costs, finding a new site for the business, determining extraordinary needs and requirements for people being moved, and other required steps. This early contact is to get some of those topics on the table.

There are three crucial requirements for someone to receive relocation benefits:

1. They must be occupying the property at the time of the written offer to purchase it is made.
2. They must be lawfully present on the property.
3. They must be lawfully operating a business.

It is key to know that if you've got a business along Broadway that is going to be taken as a result of this project, DO NOT move until you've got the written offer in hand. If you're not occupying the property, you do not get relocation benefits.

I regularly field concerns that the design process is moving ahead and the opportunity for public input is past. That's not the case, nor do these property acquisition informational meetings signal anything like that. These are intended to give businesses that see a hard-line alignment headed in their direction the chance to begin early conversations with staff to understand their rights and to learn the process that'll unfold over the next couple of years. The design is still in play – not to 30% yet – so these sessions will be relevant to some who take part, but possibly not to all.

I'll keep providing updates as things advance.

Civic Events



This is from the opening ceremonies at the Ft. Lowell Soccer Shoot-Out.

And you may recognize the
4th Avenue Street Fair,





All Souls Procession,



and Tucson Meet Yourself.

Those are just a sampling of the many civic events we host in Tucson that help to make our economy go, while bringing out thousands to celebrate all sorts of things that make us a special community. Toss in Fords on 4th, 2nd Saturday's, Cyclovia, and a ton more and you'll know why I've been passionate about making sure we're working well with the event organizers to facilitate what they bring.

I met over four years ago with the then City Manager to talk about the civic event application process. Nothing changed. I did the same with the subsequent City Manager and still nothing changed. Under our recent interim City Manager we finally got a team together to look at the application process. There have been meetings with the event planners, and still we need to tweak what's in place. I'm hopeful that we're close, but communication and responsiveness to the actual needs of the events are still lacking to some degree.

By way of example, I brought this language to staff's attention last week. It appears on the application for insurance we give to event planners:

All special event applicants shall name the City of Tucson as an "Additional Insured," per item one below, on all policy(ies), except workers compensation and shall reflect this on a Certificate of Insurance. Applicant agrees that any insurance available to the applicant shall be primary and non-contributory to the city's self-insured retention. Applicant shall obtain certificates of insurance from all vendors participating in this event unless covered under applicant's insurance policy. Vendors must comply with all requirements listed in this section.

We cannot require the face-painter at 2nd Saturdays to get a liability insurance form. Or the kid doing street dancing, neighborhood beer tents, or the astrologer. Similarly, we have put standards in place for the number of porta-johns that would increase what 4th Avenue Street Fair is required to have by a factor of 10. We're also asking for information in advance of issuing a permit that event organizers have no way of knowing.

We have good and well-intentioned staff working on this. And we've lost the Mariachi Conference, the HOG rally, tennis tournaments, golf tournaments, and more. We need to step up our game, bring the event planners together and *ask them* to assist in forming an application document that works from their perspectives.

I'm not suggesting we walk away from our legitimate needs and responsibilities as a City, but I am suggesting the progress we've made over the last four years of having had this conversation is unacceptable. We can't afford to lose more events. I'm encouraged by recent exchanges and hope we see more quick progress on this.

Growing Hay?

In the past couple of months, there have been a series of articles from various news outlets that speak to the issue of foreign governments buying up land in Arizona for the purpose of growing alfalfa (hay) and shipping it overseas to be used as livestock feed.



These photos show a comparison between the Central Valley in California (drought stricken) and the Imperial Valley which gets its water from the Colorado river. The Imperial Valley is the same region about which I wrote a couple of years ago suggesting it would be great if they'd get the farmers off from CAP water, grow crops that can thrive on salt-water, and begin that transformation. Now, with what we're seeing relative to the Saudis buying land for growing hay to export back to their country, the issue needs a fresh look.

To be fair, much of the alfalfa export trade is also going to China. They're also using it for cattle feed. Robert Glennon is a professor at the UA College of Law. He states "a hundred billion gallons of water per year is being exported in the form of alfalfa from California. It's a huge amount. It's enough for a year's supply for a million families – it's a lot of water, particularly when you're looking at the dreadful drought throughout the southwest."



It's profitable. In fact, it's cheaper to send hay back to Beijing from L.A. than it is to send it from the Imperial Valley to the Central Valley. We have a trade imbalance with China such that they export to us more than we send to them. That means when their boats unload, they're empty and ready to

simply carry loads back to China.

The California farming community of fewer than 200,000 people is using more than 880 billion gallons of water per year. That's more than twice the amount the entire rest of Southern California uses in a year.

So why is this a Ward 6 issue? Because I've said over and over that our two most urgent issues at the M&C are the budget and water policy. Just outside of Phoenix we have a Saudi farm that's growing hay to feed cows back in the Middle East. The company, Almarai, has planted thousands of acres of alfalfa. It's draining the aquifer.

The City cannot change water policy, but we can encourage good stewardship by working with local and regional partners to fight for changes in either what's being grown, or advocating for some of the seawater solutions I had presented to the M&C back in 2012. I'm right now reaching out to some in the hydrology field to see if we can have that discussion, and frankly have it at a much higher level of influence than I can bring to bear on the issue. More to come. There are solutions available, but we need to find the political will to engage.

Sam Hughes Neighborhood – Leading by Example

I've shared a few times how the Himmel Park Library beautification project is going. They've made a lot of progress and are now in the final stages of getting the work started. Below are the 'before' and 'after' images of what you'll soon see at this regional library.

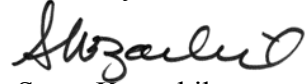


Targeting the latter part of March, 2016, the group is now focused on some final design work, and some final fund raising. Here's what they've accomplished:

- 8 artistic bike racks are ready to be installed
- 5 benches are on order / tiles to decorate them are in design
- A MOU has been finalized between the City Parks Dept and the Sam Hughes Neighborhood Association Board identifying responsibilities for the installation process
- Northwest Landscaping and the Civano Nursery are donating materials, labor and expert advice on the project
- Of course – volunteers / your help is key to making this project 'go.'

They've reached 95% funding. If you can offer to help in that, or volunteer during the actual work please email lguar@aol.com. You can also donate to the project by going to <http://samhughes.org/himmel-park-beautification.php>.

Sincerely,



Steve Kozachik
Council Member, Ward 6
Ward6@tucsonaz.gov

Events and Entertainment

El Tour de Tucson

Saturday, November 21, 2015

Starts in Downtown Tucson

The Tucson Medical Center 33rd El Tour de Tucson presented by Casino Del Sol Resort is a bicycling event for cyclists of all ages and abilities who ride 104, 75, 55 or 40 miles in the main event or 11, 5 or 1/4 miles in the Fun Ride or for minutes not miles in Indoor El Tour. More information at: www.perimeterbicycling.com/el-tour-de-tucson.

Holiday Artisans Market

November 20 - 22, 2015 | 10 am – 5 pm

Tucson Museum of Art, 140 N Main Ave

The Tucson Museum of Art hosts more than 100 of the Southwest's finest artists and artisans who display their works and wares. Free admission to the museum during the three-day event. www.tucsonmuseumofart.org/events/artisans-market

Family Festival in the Park

Saturday, November 21, 2015 | 10 am – 2 pm

Reid Park, 1100 S Randolph Way

Tucson Parks and Recreation and Cigna are proud to present the 10th annual Family Festival in the Park. There will be skateboarding demonstrations, games, prizes, crafts, inflatables, tennis, disc golf, and class demonstrations. Reid Park Zoo will have free admission, and the Edith Ball Adaptive Recreation Center will host an afternoon of free swimming from noon to 4 pm. Please bring donations of canned goods to the festival to benefit the Community Food Bank of Southern Arizona. www.tucsonaz.gov/parks/announcement/family-festival-park-0

Edible Shade Mesquite Pancake Breakfast

Sunday, November 22, 2015 | 9 am – 12 pm

Watershed Management Group, 1137 N Dodge Blvd

Watershed Management Group (WMG) invites you to celebrate the bountiful food and shade of our region's native and desert-adapted edible trees, such as mesquite, pomegranate, and olive. Enjoy local mesquite pancakes while exploring sustainable living practices in action at WMG's Living Lab and Learning Center. Admission is free, with pancakes available for \$2 each or three for \$5. watershedmg.org/edibleshade

Ongoing

The Rogue Theatre at The Historic Y, 300 E University Blvd | www.theroguetheatre.org
Presenting *Hamlet and Rosencrantz and Guildenstern are Dead* by Tom Stoppard in rotating repertory from October 15 through November 22.

Tucson Museum of Art, 140 N Main Ave | www.TucsonMusuemofArt.org
October 24, 2015 - February 14, 2016: “Western Heroes of Pulp Fiction: Dime Novel to Pop Culture”

Tucson Convention Center, 260 S Church St | tucsonconventioncenter.com

Meet Me at Maynards, 311 E Congress St | www.MeetMeatMaynards.com
A social walk/run through the Downtown area. Every Monday, rain or shine, holidays too!
Hotel Congress Check-in begins at 5:15pm.

Mission Garden, 929 W Mission Ln | www.tucsonsbirthplace.org
Open Saturdays 8 am - 12 pm, April through November and 12 pm - 4 pm, December through March. A re-creation of the Spanish Colonial walled garden that was part of Tucson’s historic San Agustin Mission. For guided tours call 520-777-9270.

Children's Museum Tucson, 200 S 6th Ave | www.childrensmuseumtucson.org
Tuesday - Friday: 9:00am - 5:00pm; Saturday & Sunday: 10:00am - 5:00pm

Tucson Botanical Gardens, 2150 N Alvernon Way | www.tucsonbotanical.org
September 11, 2015 – January 3, 2016: “Nature Connects, Art with LEGO Bricks”

Southern Arizona Transportation Museum, 414 N Toole Ave |
www.tucsonhistoricdepot.org

UA Mineral Museum, 1601 E University Blvd | www.uamineralmuseum.org

Jewish History Museum, 564 S Stone Ave | www.jewishhistorymuseum.org

Fox Theatre, 17 W Congress St | www.FoxTucsonTheatre.org

Hotel Congress, 311 E Congress St | hotelcongress.com

Loft Cinema, 3233 E Speedway Blvd | www.loftcinema.com

Rialto Theatre, 318 E Congress St | www.rialtotheatre.com

Arizona State Museum, 1013 E University Blvd | www.statemuseum.arizona.edu

Arizona Theater Company, 330 S Scott Ave | www.arizonatheatre.org